

### REMARKS

Claims 1-10, 21-30, 32-35, and 43-58 are pending. Claims 1, 5, 21, 25, 32-35, and 43-45 have been amended; claims 31 and 36-42 have been canceled; and claims 47-58 have been added in this amendment.

Claims 33 and 44 have been amended to correct a spelling error. Claims 36-42 have been canceled because they depend from independent claim 11, which was canceled in a previous amendment.

Independent claims 1 and 21 have been largely rewritten to more clearly set forth limitations therein. Therefore, with the exception of the amendment to the weighted random number generator described below, the amendments made to claims 1 and 21 were not made to distinguish art of record.

Independent claims 1 and 21, along with their dependent claims 2-10, 22-30, 32-35, and 43-46, have been rejected as being unpatentable over Hamlin (U.S. Publication No. 2004/0193479) in view of Frerichs (U.S. Patent No. 6,684,249). Applicants amended claims 1 and 21 to obviate this rejection.

Claim 1, as amended, relates to a screening and survey selection system having a survey queue that includes a plurality of queue slots that each include a survey from an identified subset of surveys and "a *weighted* random number generator adapted to generate a number that corresponds to a selected one of said plurality of queue slots" (emphasis added). Applicants request reconsideration and withdrawal of the rejection of claim 1 because neither Hamlin, Frerichs, nor any combination of the two describes or suggests the use of a *weighted* random number generator to randomly generate a number corresponding to a queue slot in a survey queue.

Hamlin describes a system for automating the conduct of surveys over a network system. Hamlin, as noted by the Examiner, does not describe or suggest using a random number generator for any purpose, much less using a *weighted* random number generator to generate a number corresponding to a queue slot in a survey queue.

Frerichs describes a system and method for adding advertisements over streaming audio based upon a user profile over a world wide area network of computers. Frerichs describes selecting and downloading multiple advertisements based on a user profile and, once the advertisements have been downloaded, either using a *non-weighted* random number generator to select one of the multiple advertisements for presentation to the user or, *alternatively*, selecting one of the multiple advertisements for presentation to the user based on other information in the user profile. See col. 15, lines 40-41 and 54-59<sup>1</sup>. Frerichs does not describe or suggest any weighting whatsoever in the random selection process to make one particular advertisement more likely to be randomly selected than another and, contrary to the Examiner's contention, Frerichs does not describe use of user profile information to assign such a weighting. Rather, Frerichs describes completely random selection and selection through user profile information as entirely *alternative* and separate methods for selecting the advertisement to be presented to the user from among the multiple downloaded advertisements.

For at least these reasons, applicants request reconsideration and withdrawal of the rejection of claim 1, and its dependent claims, claims 2-10, and 32-35.

Claim 21 relates to a computer system for effecting a screening and survey selection system having a database that includes a survey queue and a server associated with the database that includes a master screener that identifies a subset of surveys from among a set of surveys and "a *weighted* random number generator that associates each survey in said subset with a survey queue slot in said survey queue and generates a number that corresponds to a selected one of said survey queue slots." For at least the same reasons discussed above, applicants request reconsideration and withdrawal of the rejection of claim 21, and its dependent claims, claims 22-30 and 43-46, because neither Hamlin, Frerichs, nor any combination of the two describes or suggests the recited *weighted* random number generator used to randomly generate a number corresponding to a queue slot in a survey queue.

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<sup>1</sup> Frerichs specifically states "In some embodiments, the advertisements are selected based upon a user profile (step 607). ... Once the desired advertisements have been downloaded, the method randomizes (step 605) the advertisements to select one of the advertisements for output. Here, the method can use a random number generator approach to select the advertisement. *Alternatively*, the method can select the advertisement based upon other information in the user profile, step 607." (emphasis added).

Applicant : America Online, Inc.  
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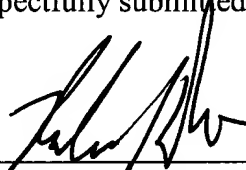
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New independent claims 49 and 54 are patentable over the cited art for at least the same reasons described above with respect to claims 1 and 21, respectively.

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Respectfully submitted,

Date:           \$ / 11 / 05          

  
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